

Tierra Del Este Unit Eighty Two

City of El Paso — City Plan Commission — 10/18/2018

SUSU17-00047 — Resubdivision Preliminary



STAFF CONTACT: Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov

PROPERTY OWNER: Ranchos Real XVI, LLC

REPRESENTATIVE: Conde Inc.

LOCATION: North of Pebble Hills and East of John Hayes, District 5

ACREAGE: 13.225

VESTED: No

PARK FEES REQUIRED: N/A

EXCEPTION/MODIFICATION REQUEST: Alternative design request for a 28' alley within the proposed resubdivision.

RELATED APPLICATIONS: PZST17-00021 and TDE Linear Park Development Agreement

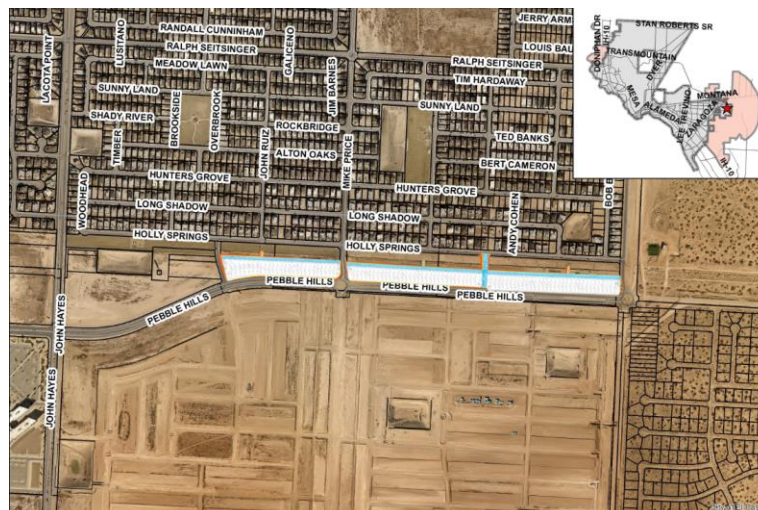
PUBLIC INPUT: The Planning Division did not receive any communication in support or opposition to this request, however, planning did receive two phone calls inquiring about the proposed subdivision.

STAFF RECOMMENDATION: Approval with conditions.

SUMMARY OF REQUEST: The applicant proposes to subdivide 13.225 acres for 92 town homes. A 28' alley will also be included as part of the proposed subdivision as well as access easements to the linear park located to the north of the proposed subdivision. Access to the subdivision is from Pebble Hills Boulevard.

SUMMARY OF RECOMMENDATION: Planning staff's recommendation is **APPROVAL** of Tierra Del Este Unit Eighty Two on a resubdivision preliminary basis subject to the following conditions:

- That Sections 4.1 and 4.2 of the TDE Linear Park development agreement regarding adjacent development be amended and approved by City Council prior to submittal of the final plat.
- That the special permit to allow for planned residential development in R-5 (Residential) zone district be approved by City Council prior to submittal of the final plat.

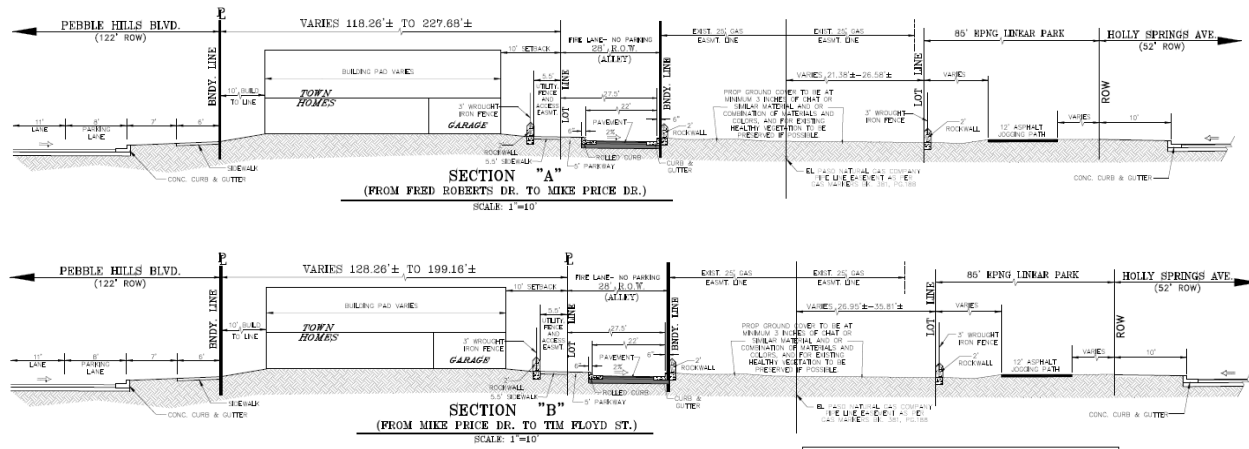


DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

The applicant is requesting the following alternative design request pursuant to Chapter 19.26.

- To allow for an alternative design for the 28' alley which includes a 5' parkway and 22' of pavement.

PROPOSED



The applicant does meet the following criteria under Section 19.26.060.B.1. for requesting exceptions, which reads:

B. Alternative Subdivision Improvement Design

- Alternative subdivision improvement designs that either alter the road standards and applicable provisions in Chapter 19.15 or the various other physical improvement standards contained in this title or in the DSC, may be approved by the CPC upon recommendation of the city manager or designee as part of the preliminary and/or final plat approval, if the CPC and the city manager or designee agree with the engineering studies provided as part of the submission showing that the proposal meets the intent of the ordinance codified in this title and provides the same level or greater of protection, service or adequacy of the original requirement.

RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO: Subject property is designated G4, Suburban (Walkable)

GOAL 2.2:	
The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed- use neighborhoods.	
GOAL 2.3	
The City of El Paso wishes to create complete networks of multimodal streets with ample shaded sidewalks and frequent on-street parking.	
POLICY	DOES IT COMPLY?
Policy 2.2.2: The design of new neighborhoods and additions to existing neighborhoods should strive for a mix of housing types. Housing types include both small and large single-family detached	Yes, when compared to the surrounding area. The applicant is proposing townhouses.

homes, duplexes, townhouses, multi-family buildings, live-work units, and accessory dwelling units, and include both rental apartments and units that can be owned by their occupants.	
2.3.2.a.: New neighborhood streets should connect to the existing street network in all adjoining areas where practical.	Yes, the applicant is proposing a new street to connect to Pebble Hills Boulevard.

NEIGHBORHOOD CHARACTER: Subject property is zoned R-5 (Residential) and is currently vacant. Properties adjacent to the subject property are zoned R-5 (Residential) and the rest lie within the ETJ. Surrounding land uses are residential. The nearest school is Pebble Hills High (0.37 miles). The nearest park is Tierra Del Este Linear Park located north of the property. This property is not located within any Impact Fee Service Area.

COMMENT FROM THE PUBLIC: Notices of the Public Hearing were mailed on September 19, 2018, and published as per Section 19.15.040. The Planning Division did not receive any communication in support or opposition to this request, however, planning did receive two phone calls inquiring about the proposed subdivision.

STAFF COMMENTS:

Planning staff's recommendation is **APPROVAL** of Tierra Del Este Unit Eighty Two on a resubdivision preliminary basis subject to the following conditions:

- That Sections 4.1 and 4.2 of the TDE Linear Park development agreement regarding adjacent development be amended and approved by City Council prior to submittal of the final plat.
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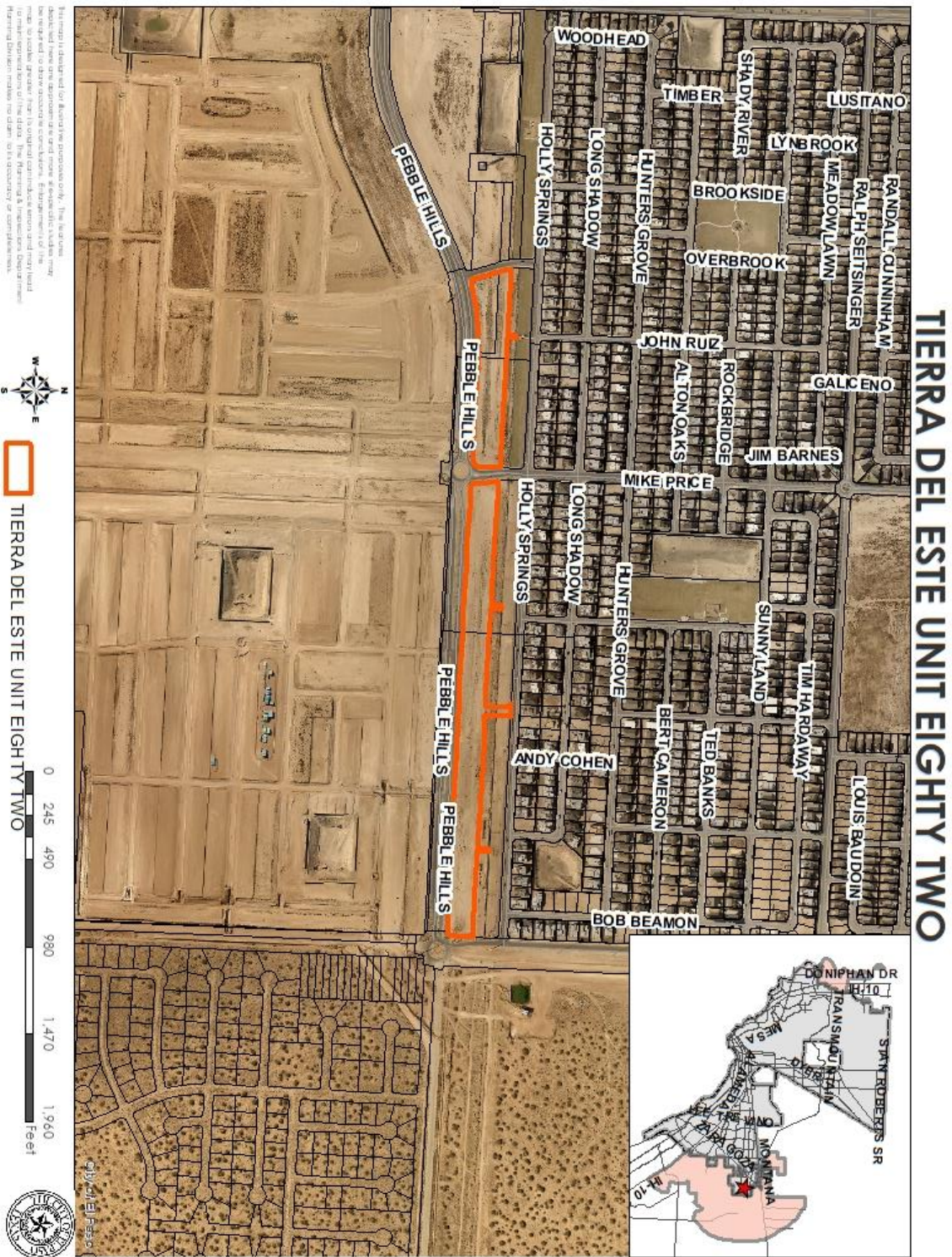
PLAT EXPIRATION:

This application will expire on **October 18, 2021**, pursuant to Section 19.03.060 (Expiration). If subdivision improvement plans and a final plat application have not been approved within the specified date, the preliminary plat application, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the preliminary plat shall be null and void.

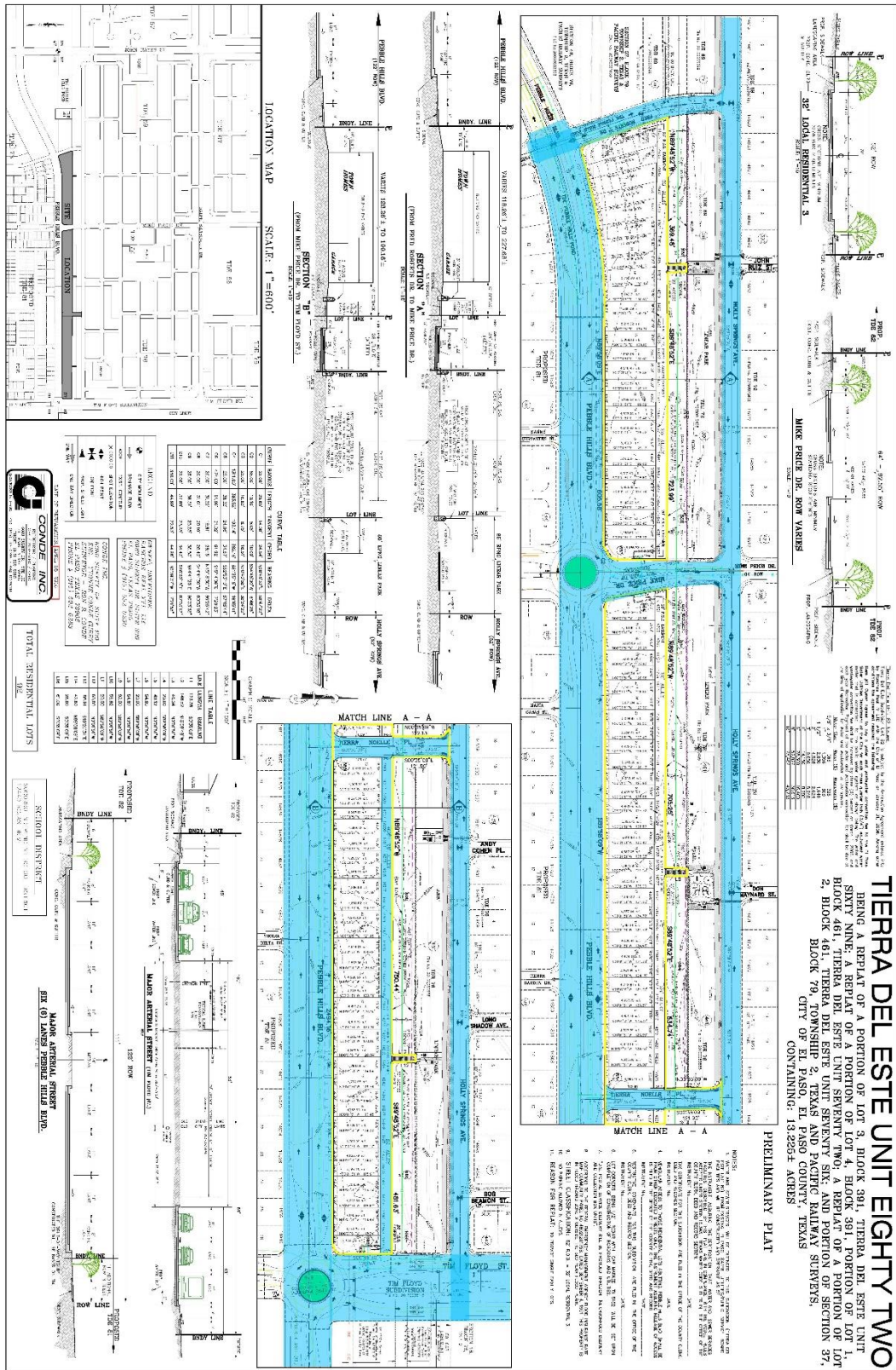
ATTACHMENTS:

1. Location map
2. Preliminary plat
3. Alternative Design Request
4. Application
5. Department Comments

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



CONDE INC

July 10, 2018

City of El Paso
Planning & Inspections – Planning Division
801 Texas Avenue
City of El Paso, Texas 79901

Attention: **Vanessa Munoz**

Re: Tierra Del Este Unit 82

Dear Vanessa,

As per your request, we are submitting a Request for Exception per Section 19.48 due to the requirements listed in Chapter 19-Section 19.26 to allow for an Alternative design for the proposed 28' alley to Multi-family cross section DDM - 3-11A due to subdivision abutting a high pressure Gas Line easement. As per the above reason, the following criteria per Section 19.48 applies to this exception waiver request:

1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land such that the strict application of the provisions of this title to the proposed use would create an unnecessary hardship or inequality upon or for the applicant, as distinguished from a mere inconvenience in developing the land or deprive the applicant of the reasonable and beneficial use of the land;
2. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the applicants land;
3. The wavier or exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;
4. Granting the waiver or exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;
5. Granting the waiver or exception will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Chapter, or adversely affect the rights of owners or residents of surrounding property;
6. The hardship or inequity is not caused wholly or in substantial part by the applicant;
7. The request for a waiver or exception is not based exclusively on the applicant's desire for increased financial hardship; and
8. The degree of variation requested is the minimum amount necessary to meet the needs of applicant and to satisfy the standards in this section.

If you have any questions or comments on the above please let me know. Thank you for your time and consideration in this matter.

Sincerely,


Conrad Code
CONDE, INC.

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0263 / FAX (915) 592-0266

ATTACHMENT 4



CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION PRELIMINARY SUBDIVISION APPROVAL

DATE: July 10, 2018

File No. 545617-00047

SUBDIVISION NAME: Tierra Del Este Unit 82

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a Replat of a Portion of Lot 3, Block 391, Tierra Del Este Unit Sixty Nine; A Replat of a Portion of Lot 4, Block 391, Portion of Lot 1, Block 461, Tierra Del Este Unit Seventy Two; A Replat of a Portion of a Lot 2, Block 461, Tierra Del Este Unit Seventy Six, and a portion of Section 37, Block 79, Township 2, Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:	ACRES	SITES	ACRES	SITES
Single-family	_____	_____	Office	_____
Duplex	_____	_____	Street & Alley	<u>2.645</u>
Apartment	_____	_____	Ponding & Drainage	<u>1</u>
Mobile Home	_____	_____	Institutional	_____
P.U.D.	_____	_____	Other (specify below)	_____
Park	_____	_____	<u>Town Homes</u>	<u>10.580</u>
School	_____	_____		<u>92</u>
Commercial	_____	_____	Total No. Sites	<u>93</u>
Industrial	_____	_____	Total Acres (Gross)	<u>13.225</u>

3. What is existing zoning of the above described property? R-5 Proposed zoning? n/a
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No _____
5. What type of utility easements are proposed? Underground _____ Overhead _____ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)
Lots to street to Drainage Structure
7. Are special public improvements proposed in connection with the development? Yes _____ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No _____
If answer to is "Yes", please explain the nature of the modification or exception Modified Street Cross Section
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes _____ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X
If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

12.	Owner of record	<u>Ranchos Real XVI, LLC</u>	<u>6080 Surety Dr., Ste. 300</u>	<u>79905</u>	<u>592-0290</u>
		(Name & Address)		(Zip)	(Phone)
13.	Developer	<u>Ranchos Real XVI, LLC</u>	<u>6080 Surety Dr., Ste. 300</u>	<u>79905</u>	<u>592-0290</u>
		(Name & Address)		(Zip)	(Phone)
14.	Engineer	<u>CONDE INC.</u>	<u>6080 Surety Drive, Ste. 100, El Paso, TX</u>	<u>79905</u>	<u>915-592-0283</u>
		(Name & Address)		(Zip)	(Phone)

**Effective September 1, 2014, a 3% Technology fee has been added to all Planning application fees.*

Ranchos Real XVI, LLC

OWNER SIGNATURE: _____

Douglas A. Schwartz

REPRESENTATIVE: _____

Conrad Conde

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 5

PLANNING AND INSPECTION DEPARTMENT – PLANNING:

Developer/Engineer shall address the following comments:

- Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:
 - a: Current certificate tax certificate(s)
 - b: Current proof of ownership.
 - c: Release of access document, if applicable.
 - d: Set of restrictive covenants, if applicable.
- Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
- Verify and revise the date of preparation on the preliminary plat.

PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT:

We have reviewed subject plats and recommend Approval.

The Developer/Engineer shall address the following comments.

1. As per Tierra Del Este Unit 69, 72, & 76 Drainage Plans, the subject subdivision is to discharge into their proposed ponds; all downstream storm water management facilities should be in place prior to development of this development.
2. Show the drainage flow pattern within the alleys.
3. Show and label designated ponding destination(s).

CAPITAL IMPROVEMENTS DEPARTMENT – PARKS:

We have **re-reviewed** Tierra Del Este Unit Eighty Two subdivision a resubdivision preliminary plat map & Site Plan and on behalf of CID Parks & Planning Division we offer Developer / Engineer the following **“revised”** comments:

Please note that this subdivision is composed of 92 Single-family Town homes and although “Park land” is not being dedicated with-in this subdivision, this is part of the Tierra Del Este III - Phase III Amended Land Study and the following shall apply:

Also, please note that a Developer's Participation Agreement for the Tierra Del Este "Off-site Linear Park" dedication has been approved and recorded, therefore, this subdivision complies with the minimum Parkland requirements as per ordinance Title 19, Subdivision and Development Plats, **Chapter 19.20 – Parks and Open Space** and will exceed the requirements by **1.70 acres** or **170** dwelling units that can be applied towards sub-sequent future subdivisions with-in the approved Tierra Del Este III - Phase III "Amended Land Study" based on the following calculations:

Total Subdivisions & Number of Units to Date:

Tierra Del Este #67 = 823 Units Requiring	8.23 Acres
Tierra Del Este #69 = 360 Units Requiring	3.60 Acres
Tierra Del Este #71 = 324 Units Requiring	3.24 Acres
Tierra Del Este #72 = 361 Units Requiring	3.61 Acres
Tierra Del Este #75 = 229 Units Requiring	2.29 Acres
Tierra Del Este #76 = 315 Units Requiring	3.15 Acres
Tierra Del Este #77 = 285 Units Requiring	2.85 Acres
Tierra Del Este #82 = <u>092</u> Units Requiring	<u>0.92 Acres</u>

Total = 2789 Units Requiring 27.89 Acres

Subdivisions Containing "Parkland":

Tierra Del Este #67 Parkland Dedication 6.95 Acres or 695 Dwelling Units
Tierra Del Este #67 Parkland Dedication 1.39 Acres or 139 Dwelling Units
Tierra Del Este #69 Parkland Dedication 3.59 Acres or 359 Dwelling Units
Tierra Del Este #71 Parkland Dedication 3.74 Acres or 374 Dwelling Units
Tierra Del Este #72 Parkland Dedication 4.08 Acres or 408 Dwelling Units
Off-site Linear Park Dedication 9.84 Acres or 984 Dwelling Units

Total Parkland Dedication: 29.59 Acres or 2959 Dwelling Units

Total Parkland Dedication 29.59 Acres or 2959 Dwelling Units

Total Requirements 27.89 Acres or 2789 Dwelling Units

Meets & exceed the Requirements by: 1.70 Acres or 179 Dwelling Units

Furthermore, recorded Development Agreement for the Tierra Del Este Linear Park needs to be amended to remove the following conditions:

Per Section 4 – Adjacent Development:

4.1 Lots directly abutting the boundary of the Park Site shall face the Park Site.

4.2 The placement of rear or side lot lines adjacent to the Park Site boundaries shall be prohibited.

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

EL PASO WATER:

We have reviewed the above referenced subdivision and provide the following comments:

The existing water and sanitary sewer mains located contiguous to the proposed subdivision have stub-outs which were intended to enable main extensions to serve the subject Property.

The existing stub-outs are available for main extensions. The easements to accommodate the extensions are to be labeled PSB Easements instead of Utility Easements. A rock wall shall be constructed at the easement line that is within the lot.

Annexation fees are due at the time of new service application for individual water meters within the subject property.

EPWU does not object to this request.

Water

From the intersection of Fred Roberts Drive and Pebble Hills Boulevard along Fred Roberts Drive towards the north there is an existing eight (8) inch diameter water main. This main dead-ends approximately 136 feet north of Pebble Hills Boulevard. This main is available for main extensions.

Along Pebble Hills Boulevard between Fred Roberts Drive and Mike Price Drive there is an existing twelve (12) inch diameter water main (Tierra Del Este Unit 72). This main is available for service.

Along Pebble Hills Boulevard between Fred Roberts Drive and Tim Floyd Street there is an existing sixteen (16) inch diameter water transmission main. This main is not available for service; no

direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

From the intersection of Mike Price Drive and Pebble Hills Boulevard along Mike Price Drive towards the north, there is an existing twelve (12) inch diameter water main. This main has two (2) stub-outs aligned towards the east and towards the west parallel to Pebble Hills Boulevard. The sizes of the stub-outs are eight (8) inches in diameter each and are located approximately 90 feet north of Pebble Hills Boulevard.

Along Holly Springs Avenue, within the Tierra Del Este Unit 76 subdivision, between Don Maynard Street and Tim Floyd Street there is an existing eight (8) inch diameter water main. This main has an eight (8) inch diameter stub-out aligned towards the south parallel to Tierra Noelle Street. This stub-out is available for main extensions.

From the intersection of Tim Floyd Street and Pebble Hills Boulevard along Tim Floyd Street towards the north there is an existing sixteen (16) inch diameter water transmission main. This main is not available for service; no direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations. This main has an eight (8) inch diameter stub-out aligned towards the west parallel to Pebble Hills Boulevard. The stub-out is located approximately 85 feet north of Pebble Hills Boulevard and it is available for main extensions.

Sanitary Sewer

From the intersection of Fred Roberts Drive and Pebble Hills Boulevard along Fred Roberts Drive towards the north there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends approximately 130 feet north of Pebble Hills Boulevard. This stub-out is available for main extensions.

Along Pebble Hills Boulevard between Fred Roberts Drive and Tim Floyd Street there is an existing fifteen (15) inch diameter sanitary sewer main. EPWater Records depict two (2) stub-outs aligned towards the north approximately 811 feet east of Mike Price Drive and the second stub-out located approximately 1,322 feet east of Mike Price Drive. The 15-inch diameter main as well as the stub-outs are available for service.

From the intersection of Mike Price Drive and Pebble Hills Boulevard along Mike Price Drive towards the north, there is an existing twelve (12) inch diameter sanitary sewer main. This main has two (2) stub-outs aligned towards the east and towards the west aligned parallel to Pebble Hills Boulevard. The sizes of the stub-outs is eight (8) inches in diameter each and are located approximately 90 feet north of Pebble Hills Boulevard.

From the intersection of Tim Floyd Street and Pebble Hills Boulevard along Tim Floyd Street towards the north there is an existing twelve (12) inch diameter sanitary sewer main. This main has an eight (8) inch diameter stub-out aligned towards the west parallel to Pebble Hills Boulevard. The stub-out is located approximately 80 feet north of Pebble Hills Boulevard. The described 12-inch diameter main is available for service.

General

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

ENVIRONMENTAL SERVICES DEPARTMENT:

ESD is good with the revised plat and alternative design that includes the 28' ROW (alley), and the abutting 5.5' utility easement. We also requested that signage be required in the alley per Title 12 indicating that the ROW is a fire lane/tow away zone.

FIRE:

Fire recommends approval.

STREETS AND MAINTENANCE:

We have reviewed the revised alley cross-section alternative design and have no further comments.

TXDOT:

Not abutting roadways under TXDOT jurisdiction.

SOCORRO INDEPENDENT SCHOOL DISTRICT:

Correction for Tierra Del Este Unit #82. Address for the Socorro Independent School District is 12440 Rojas Drive. 12300 Eastlake is the old central office address.

SUN METRO:

No objections.

Central Appraisal District:

No objections.